

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

FOSSA LTD., ICELANDICPLUS LLC and
STEVEN BARLOW,
Plaintiffs,

v.

I JIAN LIN and
ENCOMPASS COMMUNICATIONS, INC.,
Defendants,

Case No. **1:16-cv-11914**

**ASSENTED-TO MOTION OF I JIAN LIN
AND ENCOMPASS COMMUNICATIONS,
INC. FOR EXTENSION OF TIME TO
RESPOND TO MOTIONS TO DISMISS
COUNTERCLAIMS, TO AND INCLUDING
MARCH 2, 2017**

I JIAN LIN and
ENCOMPASS COMMUNICATIONS, INC.
Counterclaim-Plaintiffs,

v.

FOSSA LTD., ICELANDICPLUS LLC, STEVEN
BARLOW,

Counterclaim-Defendants,
and

VALENTIN DAVID GURVITZ, ESQ.,
BOSTON LAW GROUP, P.C., and SONYA
LIVSHITS

Additional Counterclaim-Defendants.

Defendants and Counterclaim-Plaintiffs I Jian Lin and Encompass Communications, Inc. (“Lin and Encompass”) respectfully move for an extension of the deadlines for them to respond to the Motions to Dismiss filed by Counterclaim-Defendants Fossa, Ltd., IcelandicPLUS LLC, Steven Barlow and Additional Counterclaim-Defendant Sonya Livshits (collectively, the “Barlow Defendants”) and by Additional Counterclaim-Defendants Valentin Gurvits, Esq. and Boston Law Group, P.C. (the “BLG Defendants”), to and including March 2, 2017.

As grounds herefor, Lin and Encompass state as follows:

1. On November 28, 2016, Lin and Encompass filed their First Amended Answer and Counterclaims (the “Counterclaims”). The deadline for the Barlow Defendants to answer or

otherwise respond to the Counterclaims was December 19, 2016. The deadline for the BLG Defendants and Livshits to respond to the Complaint was December 27, 2016.

2. By way of successive stipulations and agreements of the parties, the BLG Defendants and the Barlow Defendants extended the time for them to respond to the Counterclaims until January 30 and February 1, 2017, respectively.

3. On January 30, 2017, the BLG Defendants filed a Motion to Dismiss and a Motion for Leave to File an Oversize Memorandum of Law in support, which the Court granted on January 31, 2017. On that day, the BLG Defendants filed their Memorandum.

4. On February 2, 2017, the Barlow Defendants filed their Motion to Dismiss and Memorandum of Law in Support thereof.¹

5. The deadlines for Lin and Encompass to respond to the BLG Defendants' and the Barlow Defendants' respective Motions to Dismiss are February 14 and 16, respectively.

6. Counsel for Lin and Encompass currently has school and medical appointments for his son on February 14, 2017 and a Summary Judgment deadline in another matter on Wednesday, February 15, 2017, and therefore reasonably requires additional time in which to respond to the two Motions to Dismiss.

7. No Court hearings have been scheduled, and no party will be prejudiced by an extension of time for Lin and Encompass to respond to the pending Motions to Dismiss.

¹ Lin and Encompass note that the Barlow Defendants' Motion was filed after the February 1, 2017 agreed deadline and that no prior request to extend that deadline had been requested. By filing this Motion and opposing the Barlow Defendants' Motion, Lin and Encompass do not waive their objection to the Barlow Defendants' Motion as untimely.

CONCLUSION

For the foregoing reasons, Lin and Encompass respectfully request an extension of time to respond to both the BLG Defendants' and the Barlow Defendants' pending Motions to Dismiss to and including March 2, 2017.

LOCAL RULE 7.1(a)(2) CERTIFICATION

I certify that I conferred with counsel for the Barlow Defendants and the BLG Defendants in connection with this Motion via email on February 8, 2017, and that they assent to this Motion.

Dated: February 8, 2017

Respectfully submitted,

/s/ Mitchell J. Matorin
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Certificate of Service

I hereby certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on February 8, 2017.

/s/ Mitchell J. Matorin